

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**IN RE: TERRORIST ATTACKS ON
SEPTEMBER 11, 2001**

**Civil Action No.
03 MDL 1570 (GBD) (FM)**

*This document applies to
Hoglan, et al. v. The Islamic Republic
of Iran, et al.
1:11-cv-07550-GBD*

DECLARATION OF LINDEN HOAGLAND

I, Linden Hoagland, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct to the best of my knowledge, information and belief.

1. I am a resident of the State of California, a citizen of the United States of America and over the age of eighteen.
2. The information contained in this Declaration is true and is based upon my personal knowledge.
3. I am preparing this Declaration as the uncle of Mark Kendall Bingham, in an effort to express the impact the death of my nephew has had on my life following the terrorist attacks of September 11, 2001.
4. A year or so after I married, I brought my wife Ruth Mary to live in the family home in Miami. My sister Alice and her growing toddler “Kerry” had long been part of the household of Betty and Herbert, our mother and father, by the time my wife and I returned home to Miami. When her marriage ended, Alice stayed at the family home and received our help in raising her fine “bruising” little boy.

6. I quickly took a liking to our new little chubby-faced family member. "Kerry" (Mark) rarely saw his father Gerald after that. During that period, we lived with the entire family and with Kerry as a toddler to second grade, from 1974 to 1977. Then later in southern California, we lived with Kerry for another three years or so, from 1977 through 1979. During both of those stretches of time, we loved him and offered him all the financial support we could, along with much emotional support.

7. Ruth and I were present in my little nephew's life for most of his growing-up years, and beyond. "Gerald Kendall" went through a list of nicknames: "Geraldo" (pronounced Jerr-aldo), then "Bruiser" ---our mother's favorite name for her first grandchild. (Three decades would go by before our mother's second grandchild was born.) Then his mother settled on "Kerry" and he continued to charm us after the whole clan relocated from Miami to southern California. At age eight, he himself chose his new name: Mark. His decisiveness never surprised me, and I believe he made a wonderful choice of names.

8. Just as we had all lived together in Miami, in 1978 we all settled together in California. We migrated first to Riverside, where Kerry (Mark) went to church every Sunday with Ruth Mary and me, just as he had done as a toddler-through-first-grader in Miami. His big brown eyes took in the entire scene: the stern straight-backed pews, the carefree Sunday School with lots of other little kids running up and down the chapel's halls, the solemn sacrament services, the droning speakers at the pulpit. He stood for all that grown-up starchiness pretty well even though he was such a little guy. Still, Ruth Mary and I had to work as hard as we could with our growing boy-child to keep him quiet enough to preserve a modicum of respectful calm during those services.

9. Kerry loved to ride with Ruth Mary and me as we made jaunts around the Riverside area in our old Chevy. We played Old Maid and board games together, and sometimes laughed so hard that we cried. I even taught him the rudiments of chess.

10. After Kerry became Mark and grew up, he stayed in frequent touch with his musical, bookish Uncle Linden, by then widowed and living nearby in San Francisco. Mark remembered me, and my musical tastes, long after he left his childhood home. One afternoon in December, 2000 I received a phone call. “Uncle Linden, could you use a ticket to a German opera?” And that’s how it happened that Mark Bingham treated his uncle to a performance of “Der Rosenkavalier” at the San Francisco Opera, with tickets he had received as a perquisite via his public relations job in the City. That kid had amazed me all his life, and now he had become an amazing grown-up man.

11. On the morning of September 11, 2001, I received a phone call at my San Francisco apartment from Alice in Saratoga, sixty-five miles south, bearing news that brought a lump to my throat. She asked me to turn on my television. I did, and learned for the first time of the Islamist terrorist attacks in Washington D.C. and New York City. “Do you think Mark is all right?” I asked my sister. After a long pause, I heard her say, “We’re afraid he’s dead...He called us from one of the hijacked airplanes...Lots of reporters are here.” I hurried for the CalTrain station, and Alice was there at the Santa Clara station to pick me up that early afternoon. “The latest news on television is that there was a struggle in the cockpit of the plane he was on. The FBI thinks he and a few other men ran forward and fought the hijackers.” Such a scene was very easy for me to visualize. I knew Mark well, and had witnessed for myself how powerful and aggressive he was on the rugby field. Our beloved high-spirited nephew Mark had fought hijackers and was among the nearly three thousand people killed that morning.

12. I strove to help our parents Betty and Herb, by that time very frail. Mark's Grandma Betty suffered from pernicious bone marrow cancer, and Grandpa Herb was nearly deaf and suffering from heart disease. Alice and I drove to her home, where they were living, and retrieved our parents so they could join the rest of their children at our brother Vaughn's home, and face a mob of television cameras.

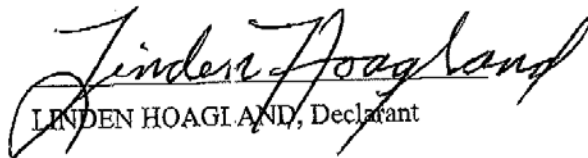
13. I stayed at Alice's home in the days immediately following 9/11. I was asked to handle the non-stop barrage of telephone calls for the next few days. I made call-back appointments for Bay Area and national TV news and newspaper reporters. There was even a book author who called seeking Alice's input for a book. (That biography is now in print as *Hero of Flight 93: Mark Bingham*.) I answered the phone for a surprising number of Mark's friends, fellow rugby players, Los Gatos High School teachers and principals, whose loving concern lifted all our spirits during those dark days.

14. Mark's death has changed all of us in his family, and it has changed me. I am still trying to recover from the shocking circumstances of his death. It is difficult to grasp that I will never again in this lifetime see and hear my nephew whom we loved and nurtured from his babyhood. I deal with my grief by throwing myself into church affairs and genealogical work. My research has linked Mark and our whole family to our Arabic Islamic forebears, eleventh and twelfth century Moors of Spain. (A large number of European-Americans can trace some genealogical connection to Arabic ancestors through European royal intermarriage with the Moors.) Finding that link illustrates to me the falsity and futility of claims made in the name of Islam that humankind should be subject to division and hatred. Mark devoted his life to bringing people together in love, and his genealogical record shows his literal kinship to the people who hated him and killed him for the sake of their ideology.

15. Mark's name comes up frequently among my friends. I wish my dear wife Ruth Mary, who loved "Kerry" (Mark) so very much, were still with me to share this burden of grief. I shall bear it all my life.

I declare under penalty of perjury, pursuant to 28 U.S.C § 1746, that the foregoing declaration is true and correct to the best of my knowledge, information and belief.

EXECUTED this 5th day of May, 2017.


LENDEN HOAGLAND, Declarant